

DEWEY BALLANTINE LLP  
1950 University Avenue, Suite 500  
East Palo Alto, CA 94303-2225

1 James J. Elacqua (SBN 187897)  
2 E-mail: JElacqua@dbllp.com  
3 Jeannine Yoo Sano (SBN 174190)  
4 E-mail: JSano@dbllp.com  
5 DEWEY BALLANTINE LLP  
6 1950 University Avenue, Suite 500  
7 East Palo Alto, California 94303-2225  
8 Telephone: (650) 845-7000  
9 Facsimile: (650) 845-7333

7 Kevin S. Kudlac (*pro hac vice* app. pending)  
8 E-mail: KKudlac@dbllp.com  
9 Pierre J. Hubert (*pro hac vice* app. pending)  
10 E-mail: PHubert@dbllp.com  
11 Craig N. Tolliver (*pro hac vice* app. pending)  
12 E-mail: CTolliver@dbllp.com  
13 DEWEY BALLANTINE LLP  
14 401 Congress Avenue, Suite 3200  
15 Austin, Texas 78701  
16 Telephone: (512) 226-0300  
17 Facsimile: (512) 226-0333

18 Attorneys for Plaintiff  
19 Rambus Inc.

Gregory P. Stone (SBN 078329)  
E-mail: Gregory.Stone@mto.com  
Steven M. Perry (SBN 106154)  
E-mail: Steven.Perry@mto.com  
MUNGER TOLLES & OLSON LLP  
355 South Grand Avenue, 35th Floor  
Los Angeles, California 90071-1560  
Telephone: (213) 683-9100  
Facsimile: (213) 687-3702

Peter A. Detre (SBN 182619)  
E-mail: Peter.Detre@mto.com  
Carolyn Hoecker Luedtke (SBN 207976)  
E-mail: Carolyn.Luedtke@mto.com  
MUNGER TOLLES & OLSON LLP  
560 Mission Street, 27th Floor  
San Francisco, California 94105  
Telephone: (415) 512-4000  
Facsimile: (415) 512-4000

**ORIGINAL FILED**

JUN - 8 2005

RICHARD W. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**ADR**

E-filing

18 RAMBUS INC.,

19 Plaintiff,

20 v.

21 SAMSUNG ELECTRONICS CO., LTD.,  
22 SAMSUNG ELECTRONICS AMERICA,  
23 INC., SAMSUNG SEMICONDUCTOR, INC.,  
24 SAMSUNG AUSTIN SEMICONDUCTOR,  
L.P.,

Defendants.

**C05 02298NDB**

Case No. **COMPLAINT FOR PATENT  
INFRINGEMENT  
AND JURY DEMAND**

25 Plaintiff Rambus Inc. states the following as its Complaint against Defendants Samsung  
26 Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Semiconductor, Inc., and  
27 Samsung Austin Semiconductor, L.P. (collectively "Defendants").

## THE PARTIES

1. Rambus is a corporation organized and existing under the laws of Delaware, with its principal place of business in Los Altos, California. Rambus is a technology leader in developing chip-to-chip interface solutions that enable higher performance and system bandwidth for a broad range of consumer electronic, computing and networking applications. Rambus memory and logic interface products provide the connection from chip-to-chip, system-to-system and person-to-person, enabling state-of-the-art performance for users of PCs, video game consoles, printers, digital TVs, set-top boxes, printers, video projectors, network switches and routers.

2. Upon information and belief, Samsung Electronics Co., Ltd. is a corporation organized and existing under the laws of Korea, with a principal place of business at 250, 2-ka, Taepyung-ro, Chung-Ku, Seoul, South Korea, 100-742. Defendant Samsung Electronics America, Inc. is a wholly owned subsidiary of Samsung Electronics Co., Ltd., with its principal place of business at 105 Challenger Road, Ridgefield Park, NJ 07660. Defendant Samsung Semiconductor, Inc. is a wholly owned subsidiary of Samsung Electronics Co., Ltd., with its principal place of business at 3655 North First Street, San Jose, CA. 95134. Defendant Samsung Austin Semiconductor, L.P. is a limited partnership owned by Samsung Electronics Co., Ltd., with its principal place of business at 12100 Samsung Boulevard, Austin, TX 78754. Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Semiconductor, Inc., and Samsung Austin Semiconductor, L.P. transact substantial business, either directly or through their agents, on an ongoing basis in this judicial district and elsewhere in the United States.

3. Unless specifically stated otherwise, the acts complained of herein were committed by, on behalf of, and/or for the benefit of Defendants.

## **NATURE OF THE ACTION**

4. This is an action for patent infringement.

5. Defendants have infringed and continue to infringe, contribute to the infringement of, and/or actively induce others to infringe Rambus's U.S. Patent No. 5,915,105 ("the '105

1 Patent”), U.S. Patent No. 5,953,263 (“the ’263 Patent”), U.S. Patent No. 6,034,918 (“the ’918  
 2 Patent”), U.S. Patent No. 6,038,195 (“the ’195 Patent”), U.S. Patent No. 6,067,592 (“the ’592  
 3 Patent”), U.S. Patent No. 6,101,152 (“the ’152 Patent”), U.S. Patent No. 6,324,120 (“the ’120  
 4 Patent”), U.S. Patent No. 6,378,020 (“the ’020 Patent”), U.S. Patent No. 6,426,916 (“the ’916  
 5 Patent”), and/or U.S. Patent No. 6,452,863 (“the ’863 Patent”) (collectively “Rambus Patents”).

6 **JURISDICTION AND VENUE**

7 6. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et*  
 8 *seq.*, including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C.  
 9 §§ 1331 and 1338(a).

10 7. This Court has personal jurisdiction over Defendants because Defendants conduct  
 11 business in the State of California and have infringed, have contributed to the infringement of,  
 12 have actively induced others to infringe, continue to infringe, continue to contribute to the  
 13 infringement of, and/or continue to actively induce others to infringe Rambus Patents as alleged  
 14 below.

15 8. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d)  
 16 and/or 1400(b) because a substantial part of the events giving rise to Rambus’s claims occurred  
 17 in the Northern District of California and because each defendant is either resident in or  
 18 otherwise subject to personal jurisdiction in the Northern District of California.

19 **FACTUAL BACKGROUND**

20 9. Rambus is one of the world’s leading designers of memory technologies used in  
 21 computers, consumer electronics and network systems. Rambus also licenses its technology to  
 22 various consumers, which incorporate Rambus memory technologies into various products,  
 23 including memory components, memory modules, memory controllers and memory systems.

24 10. Upon information and belief, Defendants are in the business of, *inter alia*,  
 25 making, using, selling, importing and/or offering for sale products in the United States that  
 26 consist of or include: SDR SDRAM, Mobile-SDR SDRAM, SDR SGRAM, DDR SDRAM,  
 27 Mobile-DDR SDRAM, DDR SGRAM, GDDR1 SDRAM, and/or Pseudo-SRAM memory

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1 components and/or memory modules; and/or SDR and/or DDR Controllers (hereinafter  
2 "Accused Products").

3       11. Upon information and belief, Defendants have made, used, sold, imported and/or  
4 offered for sale products consisting of or including Accused Products.

5       12. On June 22, 1999, U.S. Patent No. 5,915,105 was duly and legally issued to  
6 Rambus, as assignee of the inventors named therein, for an invention entitled "Integrated Circuit  
7 I/O Using A High Performance Bus Interface." A true and correct copy of the '105 Patent is  
8 attached as Exhibit A and incorporated herein by reference.

9       13. On September 14, 1999, U.S. Patent No. 5,953,263 was duly and legally issued to  
10 Rambus, as assignee of the inventors named therein, for an invention entitled "Synchronous  
11 Memory Device Having A Programmable Register And Method Of Controlling Same." A true  
12 and correct copy of the '263 Patent is attached as Exhibit B and incorporated herein by reference.

13       14. On March 7, 2000, U.S. Patent No. 6,034,918 was duly and legally issued to  
14 Rambus, as assignee of the inventors named therein, for an invention entitled "Method Of  
15 Operating A Memory Having A Variable Data Output Length And A Programmable Register."  
16 A true and correct copy of the '918 Patent is attached as Exhibit C and incorporated herein by  
17 reference.

18       15. On March 14, 2000, U.S. Patent No. 6,038,195 was duly and legally issued to  
19 Rambus, as assignee of the inventors named therein, for an invention entitled "Synchronous  
20 Memory Device Having A Delay Time Register And Method Of Operating Same." A true and  
21 correct copy of the '195 Patent is attached as Exhibit D and incorporated herein by reference.

22       16. On May 23, 2000, U.S. Patent No. 6,067,592 was duly and legally issued to  
23 Rambus, as assignee of the inventors named therein, for an invention entitled "System Having A  
24 Synchronous Memory Device." A true and correct copy of the '592 Patent is attached as Exhibit  
25 E and incorporated herein by reference.

26       17. On August 8, 2000, U.S. Patent No. 6,101,152 was duly and legally issued to  
27 Rambus, as assignee of the inventors named therein, for an invention entitled "Method Of  
28

1 Operating A Synchronous Memory Device .” A true and correct copy of the '152 Patent is  
2 attached as Exhibit F and incorporated herein by reference.

3 18. On November 27, 2001, U.S. Patent No. 6,324,120 was duly and legally issued to  
4 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
5 Having A Variable Data Output Length.” A true and correct copy of the '120 Patent is attached  
6 as Exhibit G and incorporated herein by reference.

7 19. On April 23, 2002, U.S. Patent No. 6,378,020 was duly and legally issued to  
8 Rambus, as assignee of the inventors named therein, for an invention entitled “System Having  
9 Double Data Transfer Rate And Intergrated Circuit Therefor.” A true and correct copy of the  
10 '020 Patent is attached as Exhibit H and incorporated herein by reference.

11 20. On July 30, 2002, U.S. Patent No. 6,426,916 was duly and legally issued to  
12 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
13 Having A Variable Data Output Length And A Programmable Register.” A true and correct  
14 copy of the '916 Patent is attached as Exhibit I and incorporated herein by reference.

15 21. On September 17, 2002, U.S. Patent No. 6,452,863 was duly and legally issued to  
16 Rambus, as assignee of the inventors named therein, for an invention entitled “Method Of  
17 Operating A Memory Device Having A Variable Data Input Length.” A true and correct copy of  
18 the '863 Patent is attached as Exhibit J and incorporated herein by reference.

19 22. On or about October 31, 2000, Samsung Electronics Co., Ltd. (“Samsung”) and  
20 Rambus entered into an agreement entitled, “SDR/DDR IC and SDR/DDR Memory Module  
21 Patent License Agreement Between Rambus Inc. and Samsung Electronics Co., Ltd.,”  
22 (“SDR/DDR License Agreement”).

23 23. Samsung has failed to perform according to the terms of Section 4 of the  
24 SDR/DDR License Agreement relating to auditing, resulting in a breach of the SDR/DDR  
25 License Agreement.

26 24. On or about July 9, 2004, and July 29, 2004, Rambus provided Samsung with  
27 written notice of Samsung’s breach of the SDR/DDR License Agreement.

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25. On or about June 6, 2005, in view of Samsung's breach of the SDR/DDR License Agreement, Rambus terminated the agreement pursuant to Section 8.2 of the agreement, and informed Samsung of same.

26. At all relevant times, Rambus has been the owner of the entire right, title, and interest in each of the Rambus Patents.

27. Rambus is entitled to recover from Defendants the actual damages sustained by Rambus as a result of Defendants' wrongful acts alleged herein under 35 U.S.C. § 284 in an amount to be proven at trial, together with interest and costs.

28. Upon information and belief, Defendants' infringement of the Rambus Patents as set forth herein is willful, deliberate and in disregard of Rambus's patent rights, and Rambus is therefore entitled to increased damages up to three times the amount of actual damages and attorneys' fees, pursuant to 35 U.S.C. §§ 284, 285.

**COUNT I**

29. Rambus incorporates by reference and realleges paragraphs 1 through 28 above as though fully restated herein.

30. Upon information and belief, Defendants (1) have infringed and continue to infringe the '105 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '105 Patent, and/or actively induced others to infringe the '105 Patent, in this district and elsewhere in the United States.

**COUNT II**  
**(Patent Infringement of U.S. Patent No. 5,953,263  
Under 35 U.S.C. § 271, *et. seq.*)**

31. Rambus incorporates by reference and realleges paragraphs 1 through 30 above as though fully restated herein.

32. Upon information and belief, Defendants (1) have infringed and continue to infringe the '263 Patent by making, using, offering to sell, selling (directly or through

1 intermediaries), and importing, in this district and elsewhere in the United States, Accused  
 2 Products, and/or (2) have contributed to the infringement of the '263 Patent, and/or actively  
 3 induced others to infringe the '263 Patent, in this district and elsewhere in the United States.

4 **COUNT III**

5 **(Patent Infringement of U.S. Patent No. 6,034,918  
 Under 35 U.S.C. § 271, *et. seq.*)**

6 33. Rambus incorporates by reference and realleges paragraphs 1 through 32 above as  
 7 though fully restated herein.

8 34. Upon information and belief, Defendants (1) have infringed and continue to  
 9 infringe the '918 Patent by making, using, offering to sell, selling (directly or through  
 10 intermediaries), and importing, in this district and elsewhere in the United States, Accused  
 11 Products, and/or (2) have contributed to the infringement of the '918 Patent, and/or actively  
 12 induced others to infringe the '918 Patent, in this district and elsewhere in the United States.

13 **COUNT IV**

14 **(Patent Infringement of U.S. Patent No. 6,038,195  
 Under 35 U.S.C. § 271, *et. seq.*)**

16 35. Rambus incorporates by reference and realleges paragraphs 1 through 34 above as  
 17 though fully restated herein.

18 36. Upon information and belief, Defendants (1) have infringed and continue to  
 19 infringe the '195 Patent by making, using, offering to sell, selling (directly or through  
 20 intermediaries), and importing, in this district and elsewhere in the United States, Accused  
 21 Products, and/or (2) have contributed to the infringement of the '195 Patent, and/or actively  
 22 induced others to infringe the '195 Patent, in this district and elsewhere in the United States.

23 **COUNT V**

24 **(Patent Infringement of U.S. Patent No. 6,067,592  
 Under 35 U.S.C. § 271, *et. seq.*)**

25 37. Rambus incorporates by reference and realleges paragraphs 1 through 36 above as  
 26 though fully restated herein.

38. Upon information and belief, Defendants (1) have infringed and continue to infringe the '592 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '592 Patent, and/or actively induced others to infringe the '592 Patent, in this district and elsewhere in the United States.

## COUNT VI

**(Patent Infringement of U.S. Patent No. 6,101,152  
Under 35 U.S.C. § 271, *et. seq.*)**

39. Rambus incorporates by reference and realleges paragraphs 1 through 38 above as though fully restated herein.

40. Upon information and belief, Defendants (1) have infringed and continue to infringe the '152 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '152 Patent, and/or actively induced others to infringe the '152 Patent, in this district and elsewhere in the United States.

## **COUNT VII**

**(Patent Infringement of U.S. Patent No. 6,324,120  
Under 35 U.S.C. § 271, *et. seq.*)**

18 41. Rambus incorporates by reference and realleges paragraphs 1 through 40 above as  
19 though fully restated herein.

20        42. Upon information and belief, Defendants (1) have infringed and continue to  
21 infringe the '120 Patent by making, using, offering to sell, selling (directly or through  
22 intermediaries), and importing, in this district and elsewhere in the United States, Accused  
23 Products, and/or (2) have contributed to the infringement of the '120 Patent, and/or actively  
24 induced others to infringe the '120 Patent in this district and elsewhere in the United States.

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1950 University Avenue, Suite 500  
East Palo Alto, CA 94303-2225

**COUNT VIII**

**(Patent Infringement of U.S. Patent No. 6,378,020  
Under 35 U.S.C. § 271, *et. seq.*)**

43. Rambus incorporates by reference and realleges paragraphs 1 through 42 above as  
though fully restated herein.

44. Upon information and belief, Defendants (1) have infringed and continue to  
infringe the '020 Patent by making, using, offering to sell, selling (directly or through  
intermediaries), and importing, in this district and elsewhere in the United States, Accused  
Products, and/or (2) have contributed to the infringement of the '020 Patent, and/or actively  
induced others to infringe the '020 Patent, in this district and elsewhere in the United States.

**COUNT IX**

**(Patent Infringement of U.S. Patent No. 6,426,916  
Under 35 U.S.C. § 271, *et. seq.*)**

45. Rambus incorporates by reference and realleges paragraphs 1 through 44 above as  
though fully restated herein.

46. Upon information and belief, Defendants (1) have infringed and continue to  
infringe the '916 Patent by making, using, offering to sell, selling (directly or through  
intermediaries), and importing, in this district and elsewhere in the United States, Accused  
Products, and/or (2) have contributed to the infringement of the '916 Patent, and/or actively  
induced others to infringe the '916 Patent, in this district and elsewhere in the United States.

**COUNT X**

**(Patent Infringement of U.S. Patent No. 6,452,863  
Under 35 U.S.C. § 271, *et. seq.*)**

47. Rambus incorporates by reference and realleges paragraphs 1 through 46 above as  
though fully restated herein.

48. Upon information and belief, Defendants (1) have infringed and continue to  
infringe the '863 Patent by making, using, offering to sell, selling (directly or through  
intermediaries), and importing, in this district and elsewhere in the United States, Accused

1 Products, and/or (2) have contributed to the infringement of the '863 Patent, and/or actively  
 2 induced others to infringe the '863 Patent, in this district and elsewhere in the United States.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, Rambus asks this Court to enter judgment in its favor against Defendants  
 5 and grant the following relief:

6 A. An adjudication that Defendants have infringed and continue to infringe  
 7 the Rambus Patents as alleged above;

8 B. An accounting of all damages sustained by Rambus as a result of  
 9 Defendants' acts of infringement;

10 C. An award to Rambus of actual damages adequate to compensate Rambus  
 11 for Defendants' acts of patent infringement, together with prejudgment interest;

12 D. An award to Rambus of enhanced damages, up to and including trebling  
 13 of Rambus's damages pursuant to 35 U.S.C. § 284 for Defendants' willful infringement;

14 E. An award of Rambus's costs of suit and reasonable attorneys' fees  
 15 pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted  
 16 by law;

17 F. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining  
 18 Defendants, and each of their agents, servants, employees, principals, officers, attorneys,  
 19 successors, assignees, and all those in active concert or participation with them, including related  
 20 individuals and entities, customers, representatives, OEMs, dealers, and distributors from further  
 21 acts of (1) infringement, (2) contributory infringement, and (3) active inducement to infringe  
 22 with respect to the claims of the Rambus Patents;

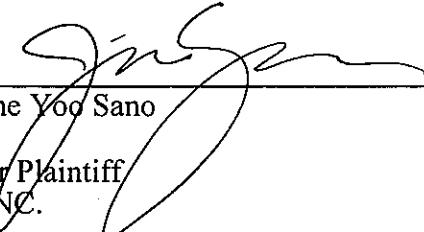
23 G. Any further relief that this Court deems just and proper.

DEWEY BALLANTINE LLP  
 1950 University Avenue, Suite 500  
 East Palo Alto, CA 94303-2225

1 Respectfully submitted,  
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3 DATED: 6/6, 2005  
4

DEWEY BALLANTINE LLP

5 By:   
6 Jeannine Yoo Sano  
7

8 Attorneys for Plaintiff  
9 RAMBUS INC.  
10

**DEMAND FOR A JURY TRIAL**

11 Pursuant to the provisions of Rule 38(b) of the Federal Rules of Civil Procedure and in  
12 accordance with Civil Local Rule 3-6, Rambus demands a trial by jury of all issues so triable in  
13 this matter.

14 Respectfully submitted,  
15

16 DATED: 6/6, 2005  
17

DEWEY BALLANTINE LLP

18 By:   
19 Jeannine Yoo Sano  
20

21 Attorneys for Plaintiff  
22 RAMBUS INC.  
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